

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSEPH SHERMAN, M.D.,

Plaintiff,

-against-

MERCHANTS & BUSINESS MEN'S MUTUAL
INSURANCE CO.,

Defendant.
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JUDGMENT
00-CV- 5503 (ARR)

An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on October 28, 2005, adopting the Report and Recommendation of Magistrate Judge Viktor V. Pohorelsky, dated September 20, 2005, after a de novo review of the record; and dismissing the action; it is

ORDERED and ADJUDGED that plaintiff take nothing of the defendant; that the Report and Recommendation of Magistrate Judge Viktor V. Pohorelsky is adopted; and that the action is dismissed.

Dated: Brooklyn, New York
October 28, 2005

ROBERT C. HEINEMANN
Clerk of Court